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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 315th meeting*
Held at Headquarters, New York, on Wednesday, 11 February 2009, at 3 p.m.

Temporary Chairman: Mr. Ban Ki-moon ..... (Secretary-General)
Chairman: Mr. Badji ..... (Senegal)

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* A verbatim record was issued for the 314th meeting of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and constitutes the official record of that meeting.

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09-23460 (E)

The meeting was called to order at 3.05 p.m.

Adoption of the agenda (A/AC.183/2009/L.1)

1. *The agenda was adopted.*

Election of officers

2. **The Temporary Chairman** invited the Committee to consider nominations for the posts of Chairman, Vice-Chairmen and Rapporteur of the Committee.

3. **Mr. Ali** (Malaysia) welcomed the announcement of an investigation into damage to United Nations premises and the death of United Nations staff in the Gaza Strip. He urged the Secretary-General to ensure that the investigation also addressed atrocities committed against civilians in the Gaza Strip, and that the perpetrators were brought to justice.

4. He nominated Mr. Badji (Senegal) for re-election to the office of Chairman, Mr. Moreno Fernández (Cuba) for election and Mr. Tanin (Afghanistan) for re-election to the two offices of Vice-Chairman, and Mr. Borg (Malta) for re-election to the office of Rapporteur.

5. **Mr. Mansour** (Tunisia) seconded the nominations.

6. *Mr. Badji (Senegal), Mr. Tanin (Afghanistan), Mr. Moreno Fernández (Cuba) and Mr. Borg (Malta) were elected by acclamation.*

7. *Mr. Badji (Senegal) took the Chair.*

Statement by the Secretary-General

8. The Secretary-General expressed his appreciation for the Committee members' unfaltering commitment to the very important mandate entrusted to the Committee by the General Assembly.

9. The year had begun with the rapid escalation and conflict in Gaza, which had caused tremendous suffering and hardship. The tragic results were well known: at least 1,300 Palestinians had been killed and 5,300 injured, while 14 Israelis had been killed and over 530 injured. Heavy bombardments and fighting in densely populated areas had reduced homes, schools, hospitals and marketplaces to rubble. Hundreds of thousands of civilians, including children, had suffered deep psychological trauma. Many Gazans were dislocated, having lost family members and homes, and 90 per cent of the population of the Gaza Strip now required food aid.

10. The civilian population in both Gaza and southern Israel, having borne the brunt of the fighting, destruction and suffering and having endured much hardship over many years, had been subjected to even greater misery, and now faced an uncertain future with anxiety and despair. Despite the unilateral ceasefires announced by both sides, the situation remained fragile, and further violence had occurred. Under the leadership of Egypt, efforts were under way to transform the unilateral ceasefires into a durable and fully respected ceasefire, as called for in Security Council resolution 1860 (2009).

11. He had visited the Gaza Strip on 20 January 2009 to demonstrate his solidarity with the people of Gaza, to inspect the extent of destruction, and to visit in person the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), United Nations agencies and other aid organizations. He commended their resilience and devotion, and their heroic and steadfast work under perilous conditions.

12. The visit had left him shocked, but more determined than ever to address the humanitarian and reconstruction needs of Gaza, and to achieve the end of the occupation that had begun in 1967, the establishment of a Palestinian State coexisting alongside Israel in peace and security, and a comprehensive, just and lasting peace between Israel and all its Arab neighbours.

13. During and after his visit to Gaza, he had stated clearly and in the strongest possible terms that such attacks as the repeated shelling and destruction of United Nations facilities were unacceptable. He had demanded a thorough investigation into every single attack, and a full explanation of each incident, and expected that those responsible would be held accountable for their actions. He had initiated a United Nations board of inquiry into the casualties and damage at the facilities of the United Nations Relief and Works Agency and of the Office of the Special Coordinator for the Middle East Peace Process, and had raised with the Security Council the issue of a broader inquiry into the conduct of the parties to the conflict during the hostilities.

14. The United Nations had launched a flash appeal for humanitarian assistance for the 1.5 million

Palestinians in Gaza, over half of whom were children, Gaza needed to be brought back to normality. There must be unimpeded provision and distribution of humanitarian assistance, as called for by Security Council resolution 1860 (2009). Children should be able to go back to school without fear. Homes and buildings needed to be repaired or rebuilt so that displaced families could return.

15. In March 2009, in Cairo, at the United Nations Seminar on Assistance to the Palestinian People, the international community would discuss the challenges of humanitarian assistance, early recovery and reconstruction, a discussion which would feed into the work of the Ad Hoc Liaison Committee for the coordination of international assistance to Palestinians. The United Nations was working very closely with Prime Minister Fayyad of the Palestinian Authority, as well as with key partners, Egypt and other Arab countries, the European Commission, the World Bank, Norway as Chairman of the Ad Hoc Liaison Committee, Turkey and the members of the Quartet. Another critical challenge was the re-opening of all Gaza crossings to allow full access for humanitarian goods and, eventually, commercial traffic, in accordance with the 2005 Agreement on Movement and Access.

16. Lastly, Palestinians needed to achieve reconciliation within the framework of the legitimate Palestinian Authority under the leadership of President Abbas. The peace process must be revitalized and negotiations should resume leading to a lasting settlement based on the relevant Security Council resolutions, the road map and the Arab Peace Initiative. He would do everything in his power, as must the international community, to achieve that goal, which was now more urgent than ever.

Statement by the Chairman

17. **The Chairman**, speaking as the representative of Senegal, welcomed the Secretary-General's tireless efforts and personal commitment to the inalienable rights of the Palestinian people, and his support for the Committee. He also commended the work of civil society in furtherance of those endeavours.

18. Israel's brutal, violent, bloody and disproportionate attacks had caused numerous casualties, in particular civilians. Significant damage had been inflicted, including on United Nations premises. He called on all parties to respect the fragile ceasefire in order to allow the delivery of humanitarian aid, restore basic infrastructure and create the conditions to resume negotiations on the core issues.

19. He reiterated his call for an international observer mission to the Gaza Strip under the auspices of the United Nations. A mechanism should be put in place to investigate crimes committed against civilians in the Gaza Strip and bring the perpetrators to justice.

20. Israel's persistent opposition to the legitimate aspirations of the Palestinian people was incompatible with any long-term coexistence. Senegal understood the despair and frustration of the Palestinian people, and called on its leaders to do their utmost in order to build national unity and negotiate as one under the leadership of Mr. Abbas, Chairman of the Palestine Liberation Organization and President of the Palestinian Authority. The Security Council and the Quartet must also exert pressure on the parties to overcome the obstacles to a compromise on core issues.

21. Senegal would continue to call for an end to the Israeli occupation; the creation of a viable, sovereign and independent Palestinian State with East Jerusalem as its capital; the return of the Palestinians to their home; and the recovery of their property. That did not mean working against the interests of the Government of Israel, with which his country maintained diplomatic and cooperative relations based on mutual respect and trust, but, rather, helping it towards reconciliation, peace and cooperation with Palestine. He commended the Palestinian people and its leadership on its steadfast struggle.

22. Speaking as Chairman of the Committee, he reiterated his commitment to promoting the exercise of their inalienable rights.

Statement by Palestine

23. **Mr. Mansour** (Observer for Palestine) said he was confident that the Secretary-General, and the United Nations and agencies, including UNRWA, were doing their utmost to address the humanitarian needs of the Gaza Strip. He appreciated the Secretary-General's reference to the need for political unity among Palestinians, the opening of border crossings, the reconstruction of the Gaza Strip, and a return to the peace process. He welcomed the Secretary-General's decision to investigate events in the Gaza Strip. He was

confident that the mandate of the investigation would be broad enough to include all of the crimes committed against civilians and against the property of UNRWA and the United Nations.

24. The year 2009 would be critical. Some of the challenges concerned the aftermath of the conflict. Humanitarian issues needed to be addressed, border crossings opened, the siege of the Gaza Strip ended, and the political and territorial unity of Palestine restored. The international community had a collective responsibility to implement Security Council resolution 1860 (2009) and to ensure the success of the United Nations Seminar on Assistance to the Palestinian People. He was grateful to the Government of Egypt for its efforts towards achieving those aims.

25. It was not yet clear what Government would lead Israel after the recent elections. In any event, it was important to learn from the experience of the Annapolis Conference and not repeat the same mistakes. All settlement-building activities must come to a halt; negotiations could not continue while the Government of Israel made changes to the situation on the ground. Nor could the Palestinian Authority negotiate indefinitely. The final goal should be the end of the occupation and the establishment of an independent Palestinian State living in peace and security alongside Israel, with East Jerusalem as its capital.

26. The Palestinian Authority needed to put its house in order and prepare to work with the new United States Administration. One promising sign was the appointment as Middle East Envoy of Senator George Mitchell, whose first visit to the region had been successful and should be followed by other such initiatives. All parties had a collective responsibility to make 2009 a year of hope for Palestinians and Israelis.

Update on developments since the previous meeting of the Committee

27. **The Chairman** said that, on 11 December 2008, the General Assembly had adopted resolution 63/140 on assistance to the Palestinian people, which had been sponsored by 65 Member States. On 15 December 2008, the Quartet principals had issued a statement in which they had reaffirmed support for the ongoing bilateral, comprehensive, direct, uninterrupted and confidential Israeli-Palestinian negotiations. In addition, the Quartet had offered its support for an intensification of diplomatic efforts towards peaceful coexistence among all States in the region in accordance with United Nations resolutions. The Quartet had welcomed efforts to reinvigorate the Arab Peace Initiative, as part of a comprehensive approach for the resolution of the Arab-Israeli conflict.

28. The Security Council had met on several occasions to consider the situation in the Middle East, including the Palestinian question. On 16 December 2008, the Council had adopted its resolution 1850 (2008), in which it had reaffirmed its support for the Annapolis process. On 18 December 2008, the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority had addressed the Council.

29. In response to the deteriorating situation in the Gaza Strip, the Secretary-General had addressed the Council on 31 December 2008, and Palestinian Authority President Abbas had addressed the Council on 6 January 2009. On 8 January 2009, the Council had adopted its resolution 1860 (2009), in which it had called for an immediate, durable and fully respected ceasefire that would lead to the full withdrawal of Israeli forces from Gaza. On 21 January 2009, the Secretary-General had briefed members of the Council on his visit to the Middle East, including to the Gaza Strip. Finally, on 27 January 2009, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator and the Commissioner-General of UNRWA had addressed the Council.

30. On 15 January 2009, the General Assembly had resumed its tenth emergency special session to consider the situation in the Gaza Strip and had adopted resolution ES-10/18 calling for an immediate ceasefire in accordance with Security Council resolution 1860 (2009). In addition, the Bureau of the Committee had issued statements on the situation in the Gaza Strip on 31 December 2008 and 8 January 2009. On 29 January 2009, the Bureau had held a meeting with the Commissioner-General of UNRWA to discuss the problems faced by the Agency, in particular as a result of the Israeli air strikes in the Gaza Strip on 28 January 2009. At that meeting, the Committee's appreciation of the valuable work carried out by UNRWA employees had been conveyed to the Commissioner-General.

Draft programme of work of the Committee (A/AC.183/2009/CRP.1)

31. **The Chairman** introduced the draft programme of work of the Committee for 2009 (A/AC.183/2009/CRP.1). Chapter I summarized the resolutions adopted by the General Assembly at its sixty-third session concerning the respective mandates of the Committee, the Division for Palestinian Rights and the Department of Public Information. Chapter II conveyed the Committee's view of the situation in the Occupied Palestinian Territory, including East Jerusalem. Chapter III set out the priority issues for 2009 and discussed the importance of enhancing cooperation and coordination between the Department of Public Information and the Division for Palestinian Rights. Chapter IV covered the proposed activities of the Committee and the Division for Palestinian Rights.

32. **Mr. Telemachou** (Cyprus) said that his Government was honoured to host the United Nations Meeting in Support of Israeli-Palestinian Peace in Nicosia in April 2009. It might be necessary to clarify that the meeting would focus on the role of parliaments in promoting the Israeli-Palestinian peace process.

33. **The Chairman** said that the theme of the meeting to be held in Nicosia was clear to Committee members and there was therefore no need to make an amendment to the draft programme of work.

34. *The draft programme of work of the Committee was adopted.*

Report of the Chairman on the United Nations Latin American and Caribbean Meeting in Support of Israeli-Palestinian Peace, Santiago, 11 and 12 December 2008 and the United Nations Public Forum in Support of Israeli-Palestinian Peace, Santiago, 13 December 2008

35. The Chairman expressed the Committee's gratitude to the Government of Chile for organizing the successful United Nations Latin American and Caribbean Meeting and Public Forum in Support of Israeli-Palestinian Peace. The Meeting had been attended by representatives of 39 Governments, Palestine, 1 intergovernmental organization, 4 United Nations agencies and bodies, 18 civil society organizations and 8 media organizations. The Committee had been represented by a delegation comprising Mr. Ali of Malaysia, Mrs. Rubiales de Chamorro of Nicaragua, Mr. Mansour of Palestine and himself, the Chairman of the Committee.

36. During the Meeting, participants had expressed serious concern about the situation on the ground, especially the humanitarian consequences for the Palestinian population in the Gaza Strip as a result of its prolonged closure. There was also serious concern that Israel, the occupying Power, had not been abiding by its obligations under the Fourth Geneva Convention to provide protection to the civilian population under occupation. Any future improvement in the situation would depend on Israel's political will and readiness to normalize life in the Gaza Strip; tangible improvements in the situation on the ground were indispensable for any future negotiations. Violence from both sides must stop. Participants had called upon the Palestinian leadership, the leaders of all factions and all Palestinians to unite behind President Abbas and his Government, and to resolve their political differences peacefully.

37. The political process towards achieving a two-State solution could benefit from the experience of Latin American and Caribbean States in their quest for independence and sovereignty and their path to economic independence and sustainable development. South and Central America's contribution to the peace process should be enhanced and increased action in regional and international forums encouraged. The role of the Group of Latin American and Caribbean States at the United Nations had been accorded particular attention, as had the role of national parliaments in supporting a peaceful solution to the conflict.

38. Participants had commended the determined efforts of the various civil society initiatives in the region that were supporting peace and working in solidarity with the Palestinian people to help them cope with the consequences of occupation. They had encouraged the sizeable Arab and Jewish communities in Chile and other countries in the region to remain engaged and collaborate with the worldwide movement of civil society organizations to end war, violence and occupation.

39. At the Public Forum, a keynote presentation had been made by Palestinian Authority Foreign Minister Riad Malki. The half-day discussion session for civil society participants had focused on, among other things, the role of Arab and Jewish communities in the diaspora in support of Israeli-Palestinian peace.

40. While in Santiago, the Committee delegation had met with the Minister for Foreign Affairs of Chile, Mr. Foxley Rioseco, and with the President of Chile, Ms. Bachelet Jeria. The President had pledged to support the Palestinian cause at the United Nations and to join forces with other countries in the region to promote a peaceful resolution to the Palestinian-Israeli conflict, including within the framework of the Arab-Latin American Summit to be held in Doha.

41. In accordance with established practice, the report of the Meeting would appear in due course as a publication of the Division for Palestinian Rights.

42. *At the invitation of the Chairman, Mr. Gálvez (Chile) took a place at the Committee table.*

43. **Mr. Gálvez** (Chile) said that the Government of Chile was pleased that the Meeting in Support of Israeli-Palestinian Peace had been held in Santiago and that it had been so well attended. He hoped that that contribution would bear fruit and lead to the creation of a viable sovereign State of Palestine and real peace between Israel and Palestine. Chile was strongly committed to cooperating with the Palestinian people and supported the right of both nations to have free and sovereign States, as established in General Assembly resolution 181 (II), adopted in 1947. It was regrettable that the resolution had only been partially implemented and only one of the planned States had yet come into being.

44. *Mr. Gálvez (Chile) withdrew.*

United Nations Seminar on Assistance to the Palestinian People, Cairo, 9 and 10 March 2009
(Working Paper No. 1)

45. **The Chairman** drew attention to the provisional programme of the United Nations Seminar on Assistance to the Palestinian People, to be held in Cairo on 9 and 10 March 2009 (Working Paper No. 1). He thanked the Government of Egypt for having agreed to host the Seminar, which was a demonstration of the continuing support of the Government and people of Egypt for the people of Palestine and the close cooperation between the Committee and Egypt.

46. The theme of the Seminar would be the international response to the humanitarian needs of the Gaza Strip. The Committee's intent was for the Seminar to contribute to wider international efforts to support the process of recovery and reconstruction in the Gaza Strip. The Seminar would provide an opportunity to assess the current situation, identify the most urgent humanitarian, reconstruction and development needs, in particular those of the most vulnerable population groups, and look at ways of coordinating the international relief and reconstruction operation that had already begun. Invitations had been sent to internationally renowned experts, United Nations representatives and observers, parliamentarians, representatives of the United Nations system and other intergovernmental organizations, representatives of civil society, and the press.

47. *The provisional programme of the United Nations Seminar on Assistance to the Palestinian People, Cairo, 9 and 10 March 2009, was adopted.*

48. **The Chairman** announced that the Committee's delegation to the Seminar would comprise: Mr. Zahir Tanin (Afghanistan) and Mr. Abelardo Moreno Fernández (Cuba), Vice-Chairmen of the Committee; Mr. Saviour F. Borg (Malta), Rapporteur of the Committee; Mr. Maged A. Abdelaziz, Permanent Representative of Egypt; Mr. Riyad H. Mansour, Permanent Observer of Palestine; and himself, Mr. Paul Badji (Senegal), Chairman of the Committee.

Other matters

49. **Mr. Whitley** (United Nations Relief and Works Agency for Palestine Refugees in the Near East) said that following the end of Operation Cast Lead, the Israeli military campaign in Gaza, the population of Gaza remained in a state of shock, grief and in many cases anger over the extent of the death and destruction wreaked upon them. There were no winners in the conflict, but there were many losers — ordinary peaceful people, the remnants of Gaza's badly battered economy and the peace process itself, which had suffered a further setback.

50. The United Nations Relief and Works Agency for Palestine Refugees in the Near East itself had suffered, with many facilities damaged during the fighting, including several health clinics and many schools. Its headquarters had been shelled repeatedly, destroying a major warehouse and a great deal of medical and other supplies. Five UNRWA staff had been killed, along with nine trainees from the Gaza Training Centre. Almost 300 refugee children had been killed and many more injured. UNRWA would be cooperating closely with the independent board of inquiry, due to start

work on the ground in the coming week, and looked forward to seeing its results.

51. UNRWA was very grateful for the many strong expressions of support it had received, including from United Nations Headquarters. The Commissioner-General had been pleased to have the opportunity to brief the Security Council and the Bureau of the Committee and to receive their unequivocal support for the Agency's role in Gaza. The speed and volume of financial support from donors had also been unprecedented, with a total of over $100 million already pledged to the UNRWA flash appeal, including $34 million from Kuwait, $12 million from Libya and $6.5 million from Saudi Arabia. The Muslim community in the United States had also been very generous.

52. The task ahead was huge. UNRWA's appeal for the coming nine months was for $346 million, from the total amount requested by the United Nations of $613 million. That sum would address only the most urgent relief; reconstruction was more problematic, given the continuing restrictions imposed by the Government of Israel on the volume and range of goods permitted into Gaza, including for basic supplies and construction materials. Whether Gaza would be able to rebuild rapidly depended on the full and consistent opening of all crossings into Israel and Egypt. There had recently been a significant increase in the volume of food and other supplies permitted into Gaza — to around 100 trucks on most days — but that still did not come close to the Palestinian commercial association PalTrade's estimate of 840 trucks required per day in normal times. The cash shortage in Gaza was a crucial impediment to recovery and the banking system must be able to operate normally. Of course, there must also be political reconciliation and the Palestinian Authority must re-establish authority in Gaza.

53. UNRWA was working to promote a rapid return to normality. Within days of the end of the fighting, it had begun to assist the 50,000 people who had taken refuge in its schools to return home or find temporary accommodation. Almost 200,000 children were back at school, and they and their families would be assisted under an extended psychosocial programme. UNRWA was helping to maintain essential local services such as water, fuel and sanitation, but it could not and should not be expected to carry the burden alone.

54. **The Chairman** said that he was proud to have seen UNRWA officials on the ground risking their own lives to assist the Palestinian population of Gaza and he admired their courage.

The meeting rose at 4.45 p.m.